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Democratic Responsiveness in the European Union: the Case of the Council

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Christopher Wratil*

Abstract

Governments' responsiveness to citizens' preferences is a key assessment criterion of democratic quality. This paper assesses responsiveness to public opinion in European Union politics with the example of governments' position-taking in the Council of the EU. The analysis demonstrates that governments' willingness to adopt negotiation positions that reflect public opinion systematically varies with their electoral incentives flowing from domestic arenas. Governments behave responsive in EU legislative negotiations if they face majoritarian electoral systems at home, when elections are imminent, and when parties or EU-related events trigger the public salience of integration. These findings have important implications for the debate on the EU's democratic deficit and our understanding of democratic responsiveness outside the national political arena.

Keywords: responsiveness, public opinion, European Union, multidimensional, democratic deficit

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Democratic Responsiveness in the European Union: the Case of the Council

Assessing the link between policy-making and public opinion has been a major concern of representation research since Robert Dahl's famous notion that a key characteristic of democracy is a "continuing responsiveness of the government to the preferences of its citizens" (1971: 1-2). A large body of literature from American and comparative political science has investigated the extent and conditions under which a variety of elected 'policy-makers'—from presidents, over parliamentarians, to judges – react to the ups and downs in public sentiment when they design, negotiate, vote on, and interpret policies. In the majority, these studies could establish that policy-making in Western democracies is subject to substantial democratic responsiveness (e.g. Erikson et al. 2002; Page and Shapiro 1983; Stimson et al. 1995; Hakhverdian 2010, 2012; Hobolt and Klemmensen 2008; Soroka and Wlezien 2010; Wlezien and Soroka 2012; Wlezien 1995). However, some recent studies have become more cautious with generalised claims and stressed policy-makers ability to manipulate public opinion (e.g. Jacobs and Shapiro 2000), the perils of 'over-responsiveness' (Lax and Phillips 2012) as well as the stratification of responsiveness according to people's income (Gilens 2012).

Without any doubt democratic responsiveness is one of the major empirical assessment criteria of democratic quality in political science. It is therefore remarkable that it has rarely been assessed in the context of EU policy-making

despite intense debates about the union's alleged 'democratic deficit'. This article starts from the observation that claims-making about democratic responsiveness in the EU plays a key role in the democratic deficit debate. On the one hand, liberal intergovernmentalist sceptics of the democratic deficit stress that "EU policy-making is, in nearly all cases, (...) responsive to the demands of European citizens (...) in a way quite similar to national polities" (Moravcsik 2002: 605, 618). On the other hand, the advocates of the democratic deficit thesis counter that even if EU policy-making might match people's preferences such a relationship is unlikely to represent stable, reliable, and causal public control. Instead, considering the severe lack of electoral accountability of EU politics, any correlation between people's will and EU policy-making is unlikely to be more than "happy coincidence" (Follesdal and Hix 2006: 556).

This article assesses these claims with regard to the responsiveness of individual governments to their domestic public opinion in the Council of the European Union (subsequently 'the Council'). From an empirical perspective, this choice is reasonable as the Council has been consistently found to be the most influential institution in EU policy-making (compared to the European Parliament and the European Commission) (Costello and Thomson 2013; Franchino and Mariotto 2012; Thomson 2011). Moreover, national governments play the key role in the liberal intergovernmentalist defence of EU democracy as they are theorised to be the main advocates of citizens' preferences in Brussels due to their accountability in national elections. This accountability is "the most fundamental source of the EU's legitimacy" (Moravcsik 2002: 619) and it renders decisions in the Council "as accountable to national citizens as decisions of national cabinets" (Follesdal and Hix 2006: 539). Even proponents of the deficit thesis seem to admit that national governments are the most likely 'agents of responsiveness' at the EU level,

since national elections are presently more functional in expressing people's preferences than second-order elections to the European Parliament (Hix and Marsh 2008).

To assess governments' responsiveness in the Council, I analyse the impact of domestic public opinion on governments' initial negotiation positions towards a subset of legislative proposals published by the European Commission between 1996 and 2008. The analysis distinguishes between responsiveness on legislative issues that represented left-right conflicts (e.g. about the degree of economic regulation) and those that represented pro-anti integration conflicts (e.g. about the authority of EU institutions). I argue that domestic electoral considerations are central for governments' responsiveness efforts on both dimensions. However, the different roles the dimensions play in domestic party competition have important consequences. While governments will handle responsiveness on left-right as a 'routine task' they can highly tailor so as to best adapt their efforts to domestic electoral institutions and electoral cycles, responsiveness on pro-anti integration will be more of an 'ad hoc' nature in response to increasing public salience of the issue.

The findings demonstrate that governments' responsiveness efforts in negotiations on EU policies systematically vary with electoral incentives flowing from electoral formulas, the electoral cycle, and party competition as well as major events related to integration. The picture of responsiveness in Council politics that emerges from these results is remarkably close to some of the more sceptic accounts of responsiveness in domestic politics. Governments may shirk public opinion in contexts of low electoral pressure and realise other actors' or their own policy preferences in the EU arena, but they pander to the public when electoral incentives are compelling. Given the

comparatively low salience and complex nature of much EU legislation, these results are more tangible than one might have expected. The net result supports the liberal intergovernmentalist conjecture that governments are generally capable of acting as ‘agents of the public’ in the Council, but it leaves the open question whether responsiveness on its own and of limited degree is enough.

The Electoral Connection in EU Policy-Making

In its simplest definition, democratic responsiveness refers to a situation, in which different levels of public opinion induce governments to implement corresponding levels of public policies (e.g. if people show higher levels of support for taxation, the government sets higher tax rates than in times of low support for taxation) (cp. Lax and Phillips 2012).¹ Traditionally, responsiveness is assumed to be highly contingent on democratic elections that serve citizens to express their policy-related preferences and hold governments accountable for the realisation of these preferences.

Elections induce responsiveness through two main mechanisms (Stimson et al. 1995). Firstly, citizens use their vote in elections to (re-)shape the composition of parliament and government so that elected policy-makers best share their respective policy preferences and are likely to implement corresponding policies. This mechanism of ‘electoral turnover’ is accompanied by a second that is based on the idea that policy-makers may

¹ Responsiveness is often distinguished from ‘congruence’ that does not only refer to correlations between opinion and policy but to an actual match (e.g. if people show support for a new tax rate of 10%, this exact rate is implemented).

engage in ‘rational anticipation’ of this turnover. In order to forestall electoral sanctions at the end of the legislative term they may align policy-making to changes in public preferences during the term. This is achieved through a close tracking of and reaction to public opinion as the primary signal of public preferences. From a game theoretical perspective, electoral turnover highlights the role of elections as adverse selection games, in which citizens attempt to select policy-makers that are ‘good’ types sharing their preferences (Fearon 1999; Mansbridge 2009). In turn, rational anticipation captures their role as sanctioning games, in which policy-makers calculate how much they can deviate from the principal’s preferences without being punished at the ballot box (Barro 1973; Ferejohn 1986).

Given the central role of the electoral connection, three characteristics of EU politics cast doubts on the potential relevance of responsiveness. A first concern pertains to a lack of inherent salience or importance of EU policy-making for the public. The EU’s core policy competences in the regulation of market activities and technical standards arguably carry much less inherent salience for voters than areas like social policy, labour market policy, or health care. Not surprisingly, the literature has clearly established that issue salience increases responsiveness – even though a ‘minimum level’ of salience is hard to identify (Lax and Phillips 2009; Soroka and Wlezien 2010; Wlezien 2004). A second concern is the complexity of EU policy-making. Many EU issues qualify as ‘hard’ issues that are largely technical instead of symbolic (such as the definition of technical standards), and the multilevel nature of the EU polity makes it hard for voters to identify responsible actors for decisions. Issue and polity complexity impair issue voting, and in consequence, representational linkages are either weaker or elite-driven (Carmines and Stimson 1980; Hill and Hurley 1999; Hurley and Hill 2003; Wlezien and Soroka 2012). Lastly, it is an open question whether citizens have enough

information about EU policy-making to hold their governments accountable as media reporting focuses on national issues. Clearly, adequate information provision through media seems to be an important prerequisite for responsiveness (Besley and Burgess 2002; Snyder and Strömberg 2008).

While this scepticism about responsiveness in the EU is certainly warranted, it probably overstates the obstacles. First of all, latest since the Treaty of Maastricht the range of domains the EU deals with has encompassed areas of high inherent salience such as immigration, justice and home affairs, environmental and animal protection, or monetary affairs. Examples of salient EU legislation (included in this analysis) range from the phasing-out of single-hull oil tankers in Community waters, over the establishment of CO₂ emission trading systems, to redefining the rights of asylum seekers, and regulating working times. Secondly, the politicisation of European integration since the early 1990s (Hooghe and Marks 2009), primarily driven by a series of contentious referendums on integration and efforts by extremist parties to electorally mobilise the EU, has affected the other two characteristics. On the one hand, parties have been successful in framing EU issues in less complex terms by linking them to symbolic concepts like national identity or neoliberalism that invoke 'gut responses' (e.g. de Vries and Edwards 2009). On the other hand, media coverage of the EU has shown an upward trend over time, with peaks of attention around key events (Boomgaarden et al. 2010, 2013).

These changes have enabled EU politics to enter voters' electoral calculus. Scholars could demonstrate that EU-related attitudes ranging from general support for European unification to particular issues like the support for Turkey's EU membership influence voting in national elections (e.g. Schoen 2008; Tillman 2004; de Vries 2007). They could also establish that parties

follow these incentives and adjust their positions on EU integration, or at least try to influence opinion on integration (e.g. Carruba 2001; Hellström 2008; Schmitt and Thomassen 2000; Steenbergen et al. 2007). However, these studies remained in the sphere of diffuse, ideological party positions (declared in manifestos or perceived by experts) and could not determine whether the electoral connection is strong enough to influence governments' actual legislative behaviour at the EU level. The only evidence of responsiveness regarding EU legislative behaviour stems from a few recent studies that investigate 'systemic responsiveness' as the link between public support for integration and the amount of EU legislation passed (e.g. as total number of legislative acts or acts per policy area). These studies have yielded inconclusive results with some analyses finding clear responsiveness patterns and others reporting very limited evidence of any representational linkage (Arnold and de Vries 2009; Bolstad 2015; Toshkov 2011; De Vries and Arnold 2011). Here, I move beyond vague measures like 'amount of legislation' and investigate governments' responsiveness regarding the actual substance of concrete pieces of EU legislation.

Modes of Responsiveness in the EU's Two-Dimensional Space

In contrast to the classical US studies of responsiveness that assume the political space to be defined by a single liberal-conservative (or left-right) conflict dimension, responsiveness in EU policy-making has to be assessed on two dimensions. Scholars widely agree that the EU's political space is – at least on a cognitive, analytical level – two-dimensional (Hix 1999; Marks and

Steenbergen 2002). Conventional left-right conflicts can be accompanied and partly crossed by questions of more or less integration. Many EU policy-making controversies will naturally connect to left-right constituted by an economic component summarising conflicts over state intervention and regulation, a cultural component involving, for instance, immigration and human rights, as well as post-materialist vs. materialist value conflicts such as environmentalism.² Examples range from the liberalisation of former state company sectors (like postal services), over visa facilitations, to the treatment of laying hens in farms. However, some pieces of legislation also touch upon pro-anti integration conflicts as they concern jurisdictional architecture and have direct implications for the scope and level of EU authority or for the EU's geographical inclusiveness. Examples range from the Commission's authority in enforcing budgetary discipline to the harmonisation of existing national safety regulations regarding the transport of dangerous goods.

I argue that while the electoral incentives flowing from national elections are fundamental for responsiveness of governments in EU policy-making, governments will apply different modes of responsiveness on each of the two dimensions. This is due to the different roles the dimensions play in domestic electoral competition. On one side, economic, cultural, and value-based left-right conflicts are central for electoral competition throughout most parts of the EU. Parties cluster along the left-right dimension in virtually all countries (Bakker, Jolly, and Polk 2012; J. D. Huber and Inglehart 1995), they use left-right and its variants to define their stances on newly emerging dimensions (Marks, Nelson, and Edwards 2006), and left-right is deeply rooted in underlying societal cleavages that are not only present in Western but also in

² Hence, left-right is understood here as a macro-dimension that does not only capture economic left-right but also the 'new politics' dimension or GAL/TAN. Clearly, these dimensions are not identical but they are related on the level of political actors and their underlying issues influence voters' left-right self-placement (see next section).

large parts of Eastern Europe (Whitefield 2002). In turn, voters' preferences on left-right conflicts remain highly influential for vote choice in East and West (van der Brug, Franklin, and Tóka 2008). Hence, left-right is a highly salient and stable dimension of electoral competition.

On the other side, the role of integration conflicts for electoral competition is much less stable and universal. As of yet integration conflicts do not represent a fully matured cleavage with strong social and institutional backing in the classical Lipset-Rokkan (1967) sense, but they are rather an often fragile, evolving issue of electoral competition (Carmines and Stimson 1986; 1989; 1993). Whether conflicts over integration become electorally salient is highly conditional on factors such as mobilisation activities of strategic politicians, external disruptions (e.g. economic crises), or local institutional variations (e.g. referendum constraints). Chance is a major force behind these factors and it renders the evolution of the integration issue neither universal, nor unidirectional, nor necessarily permanent (Carmines and Stimson 1993: 158-162; Van der Eijk and Franklin 2007). Instead, it is more likely that electoral competition over integration is intermittent, fluctuating over time and across countries (e.g. Stevens 2013).

These differences have important implications for the mode in which governments will approach responsiveness. In essence, responsiveness on left-right should be a routine task for the government to secure office in the next elections (*'routine mode'*). Governments' efforts in that respect can be highly structured, long-term planned, and adapted to the domestic institutional framework. This is efficient as there is no doubt that left-right will remain electorally salient. Therefore, factors immediately linked to national elections and the electoral cycle will influence responsiveness. In contrast, responsiveness on pro-anti integration should be highly contingent

on times and environments in which the integration issue evolves and develops electoral salience (or has the potential to do so). Governments' responsiveness efforts will be rather 'ad hoc' as the issue's long-term fate remains largely uncertain (*'ad hoc mode'*). Therefore, factors increasing the salience of the EU issue will prompt responsiveness.

Dimension-Specific Hypotheses about Responsiveness

To test these claims I derive a series of dimension-specific hypotheses that allow determining whether governments systematically react to electoral incentives that are associated with different factors on each dimension. Starting with left-right governments' responsiveness efforts should vary with factors directly linked to national elections. I highlight the role of the electoral cycle and the electoral system.

Firstly, if governments align and routinely plan their responsiveness efforts on left-right with a close eye on elections, they should vary over the course of the *electoral cycle*. For instance, scholars could show that US presidents are more responsive in the second half of their terms when elections are coming closer (Canes-Wrone and Shotts 2004). Similar positive effects of the proximity of elections for responsiveness to constituents could be demonstrated for US senators, assemblymen, or judges (Elling 1982; Huber and Gordon 2004; Kuklinski 1978; Lindstädt and Vander Wielen 2011). Tailoring responsiveness efforts according to the electoral cycle is effective as voters' gratitude for government action declines over time and good deeds before elections count more than those in the distant past (Bechtel and

Hainmueller 2011). Moreover, voters may use the period leading up to the elections as a heuristic for government performance overall and “substitute the end for the whole” (Healy and Lenz 2014: 33). The first hypothesis is therefore:

H1: Governments will be more responsive to domestic public opinion regarding left-right conflicts as national election dates come closer.

Secondly, if governments mainly consider the next elections when responding on left-right, *electoral systems* should make a difference. The major line of thought in this respect has focused on seat-vote elasticities under different electoral formula (see Chang, Kayser, and Rogowski 2008; Kayser and Lindstädt n.d.; Rogowski and Kayser 2002). The argument is that marginal changes in vote shares will typically transform into larger changes in seat shares in majoritarian electoral systems than in proportional. This should generally create stronger incentives for governments to follow voters’ interest as small vote losses could dismantle government majorities.

However, there are two caveats concerning this general conclusion. Firstly, the idea that seat-vote elasticities are strictly greater in SMD than in PR systems only holds if the two major parties are at eye level. If one party dominates by a wide vote margin the seat-vote elasticity can approach 0 under SMD, while it will be very close to 1 under PR in all situations of dominance (Chang, Kayser, and Rogowski 2008: 749-750; Hobolt and Klemmensen 2008: 313-314). Secondly, SMD also creates incentives for governments to over-respond to the preferences and opinions of citizens in marginal districts that may often markedly differ from centrist or average opinion (e.g. Persson and Tabellini 2003; Rickard 2012).

Wlezien and Soroka (2012: 1413-1414) have suggested that coalition dynamics are another factor impeding responsiveness in PR systems. While SMD normally produces single-party governments that are versatile in reacting to (changing) opinion, PR's multi-party governments have to engage in coordination that will involve deterrent transaction costs. In total, I expect SMD to have advantages for responsiveness:

H2: Governments will be more responsive to domestic public opinion regarding left-right conflicts in majoritarian electoral systems.

Turning to the pro-anti integration dimension governments' responsiveness should be associated with factors increasing the salience of integration. I discuss two fundamental factors here: parties' mobilisation activities and events related to integration.

First, as party elites play a crucial role in mobilizing integration in the domestic public sphere, and thus making it relevant to voters' choices, government responsiveness should be higher when parties increase their emphasis on integration (Börzel and Risse 2009; Carmines and Stimson 1986, 1989; van der Eijk and Franklin 2007). The point can be best illustrated by stressing the influence of political elites on media coverage of pro-anti integration conflicts. While left-right issues often enter domestic media naturally as they connect to people's daily life experiences (e.g. unemployment, immigration), emerging policy dimensions often lack such inherent news factors (Soroka 2002). This is precisely a consequence of their comparative lack of firm basis in pre-existing social cleavages. In the case of pro-anti integration, the abstract and unobtrusive nature of questions of authority and competence allocation between national and EU institutions needs some additional vehicle to become newsworthy. Media studies confirm

that this role can be played by political elites communicating their stances on these issues and reframing them to better fit the domestic context, which induces media to put them on the agenda (Adam 2007; Boomgaarden et al. 2013; Van der Pas and Vliegenthart 2015). In turn, increased levels of (media) information on integration have been found to facilitate ‘EU issue voting’ (e.g. Hobolt and Wittrock 2011; Hobolt 2005; de Vries et al. 2011).

I therefore expect that wherever domestic parties increase their emphasis on pro-anti integration, this will be related to higher public salience of such issues and induce governments to be more responsive:³

H3: Governments will be more responsive to domestic public opinion on pro-anti integration conflicts wherever parties increase their emphasis on such issues.

Second, high-profile events related to EU integration should increase the salience of integration to the public and therefore prompt government’s responsiveness. Similar to party emphasis on integration, events can act as a vehicle for pro-anti integration conflicts to enter the public sphere. Research has demonstrated that, in particular, extraordinary and infrequent events like referendums on EU integration, elections to the European Parliament, the introduction of the euro, or holding the EU’s presidency temporarily increase the coverage of EU politics in national media (Boomgaarden et al. 2010; Vettters, Jentges, and Trenz 2009). These events often trigger intense public debates about pro-anti integration that range from questions of adopting new EU treaties (e.g. in referendums) to stopping legislation that challenges national sovereignty (e.g. during a presidency). In the specific case of

³ European mainstream parties have proven rather reluctant to emphasising pro-anti integration issues due to latent internal divisions and coalition considerations (e.g. Green-Pedersen 2012; Steenbergen and Scott 2004; van de Wardt 2014). However, the salience of integration for parties is clearly fluctuating across countries and time.

referendums, research has shown that such debates clarify actors' positions to the public, affect public evaluations of leaders' performance (de Vreese 2004), and increase issue voting on pro-anti integration in the next national elections (de Vries 2009).

Therefore, I expect governments to temporarily increase their responsiveness around such events:

H4: Governments will be more responsive to domestic public opinion on pro-anti integration conflicts around major events related to EU integration.

Data and Measurement

To test these hypotheses I investigate responsiveness as the impact of public opinion on national ministers' policy positions on concrete pieces of legislation discussed in the Council.⁴ I measure the dependent variable with the *Decision-making in the European Union* (DEU) dataset that contains spatial information on governments' initial positions regarding 331 controversial issues from the 1994-1999 and the 2004-2009 legislative terms (Thomson et al. 2006, 2012). DEU is based on 349 semi-structured interviews with experts from member states' permanent representations and EU institutions, who were asked to report legislative issues that raised controversy and locate governments on corresponding spatial policy scales. It is the most widely-used dataset on EU decision-making and has been employed in a diverse

⁴ An online appendix including an overview of all data sources, descriptive statistics, codebook instructions, and results of further robustness checks can be obtained from the author upon request.

range of applications. Importantly, DEU is basically a selection of the most salient issues in EU policy-making as proposals had to be mentioned in European media and actors had to be divided on key issues regarding the proposal to be included in the data.⁵

In order to relate the DEU policy scales to the two dimensions of interest, an original coding scheme was developed to identify controversies that related to substantive left-right or pro-anti integration conflicts. The guiding principle was to construct categories for both dimensions that correspond to the DEU issues and at the same time closely reflect our best knowledge from the public opinion literature about what citizens associate with the concepts 'left-right' and 'pro-anti integration' (see below). This guarantees a high substantive relevance between the dependent and independent variable. The resulting scheme consists of eight categories representing the left-right dimension; they cover conflicts ranging from economic regulation, over consumer and environmental protection, to human and civil rights. Four categories capture the integration dimension, covering aspects ranging from harmonisation over EU level authority to the delaying of EU legislative acts.

The coding of the DEU issues reveals that about 61% of the issues fall into at least one left-right category and 31% into at least one pro-anti integration category (with 12% relevant on both dimensions). 22% did neither relate to any left-right nor to any pro-anti integration category (e.g. they related to geographical cleavages).⁶ This confirms the claim that left-right and pro-anti integration are the two main dimensions in EU policy-making representing

⁵ Tracking governments' behaviour in the Council with DEU is therefore broadly comparable to tracking American legislators on the basis of ADA (Americans for Democratic Action) or similar scores that also focus on salient, key policy issues (see Erikson, MacKuen, and Stimson 2002; Stimson, MacKuen, and Erikson 1995).

⁶ The inter-coder reliability for the decision whether an issue related to a dimension or not was assessed with the help of Krippendorff's alpha, which is 0.88 for the left-right and 0.73 for the pro-anti integration dimension.

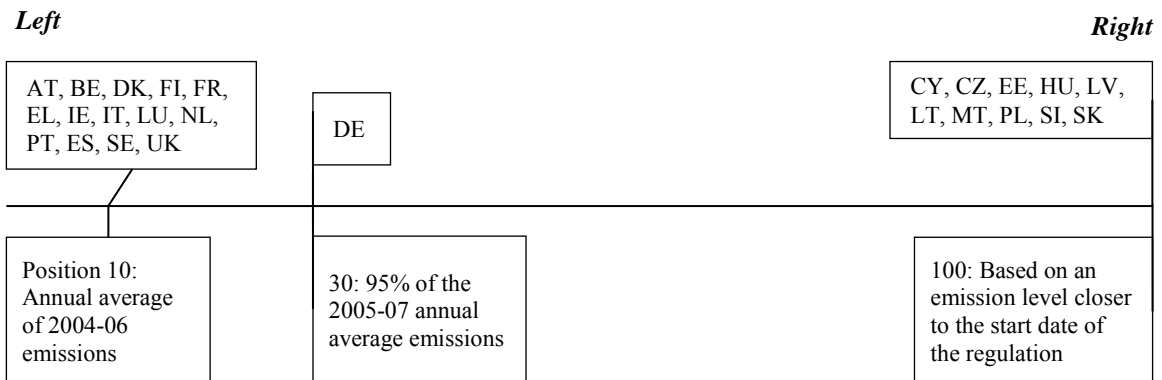
78% of all policy controversies, with left-right as the primary dimension being about twice as salient as pro-anti integration. Wherever necessary the DEU scale with a predefined range of 0-100 was linearly transformed so as to ensure that the most 'right' and the most 'integrationist' option respectively are represented by 100 and the most left / least integrationist by 0.

Figure 1 illustrates the dependent variable with governments' positions on two exemplary issues from the data. Left-right issues are illustrated with a proposal concerning the inclusion of the aviation industry in the EU's CO₂ emission trading system (COD/2006/304). In this case, the amount of emission allowances to be allocated to the industry was contested with some governments opting for a smaller and others for a larger amount (left vs. right position). The example of a pro-anti integration issue concerned the Commission's discretion in applying budgetary discipline in the Common Agricultural Policy (CNS/2004/164). Governments were divided about the degree of authority they should delegate to the Commission in this respect.

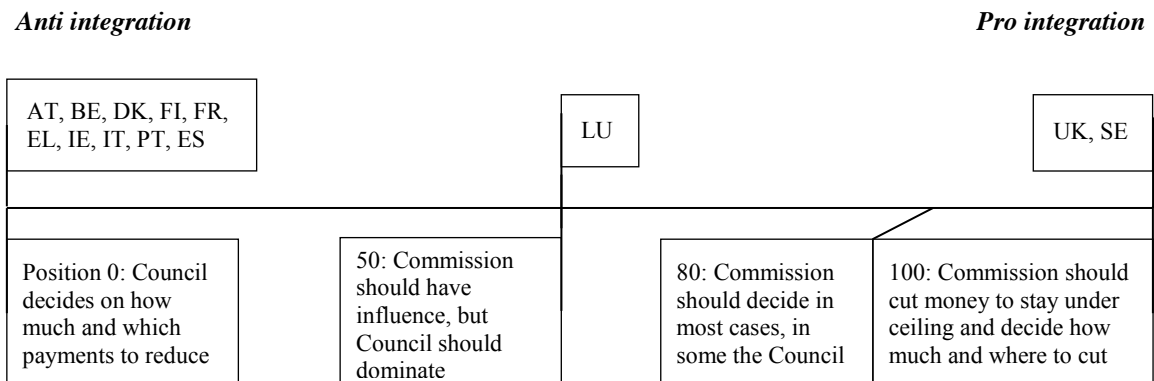
To measure public opinion as the primary independent variable, I use survey data from the Standard Eurobarometer series by linearly interpolating opinion between the six-monthly surveys. In line with common practice in the responsiveness literature, I use lagged opinion (by six months) to reflect the causal ordering, in which governments first observe opinion and subsequently react to it.

Figure 1: Illustration of the dependent variable

What are governments' positions on the total CO2 emission allowances for the aviation industry?



What are governments' positions on the application of budgetary discipline in the CAP?



Notes: AT: Austria; BE: Belgium; CY: Cyprus; CZ: The Czech Republic; DK: Denmark; EE: Estonia; FI: Finland; FR: France; DE: Germany; EL: Greece; HU: Hungary; IE: Ireland; IT: Italy; LV: Latvia; LT: Lithuania; LU: Luxembourg; MT: Malta; NL: The Netherlands; PL: Poland; PT: Portugal; SI: Slovenia; SK: Slovakia; ES: Spain; SE: Sweden; UK: The United Kingdom

Public opinion on left-right conflicts is operationalised as the country's average of the ideological self-placement item that asks respondents to identify their own ideological position on a scale ranging from 1 (left) to 10 (right). Scholars have demonstrated that these self-placements are systematically related to attitudes on economic, cultural, and materialist vs. post-materialist conflicts (J. D. Huber 1989; Knutsen 1997), including specific issues such as immigration (De Vries, Hakhverdian, and Lancee 2013), civil liberties and human rights (Cohrs et al. 2005, 2007), and a variety of

environmental issues (Kvaloy, Finseraas, and Listhaug 2012; Neumayer 2004; Skrentny 1993; Thalmann 2004). Therefore, these placements are a substantive measure of the public's left-right preferences. In line with the extant literature, public opinion on pro-anti integration is measured as support for EU membership ('Generally speaking, do you think (your country's membership in the European Union is a good thing, a bad thing, or neither good nor bad?'). Support is operationalised as the difference between respondents answering the EU is a good thing minus those thinking the EU is a bad thing divided by all responses per country. This measure has been shown to correspond with more specific attitudes on integration as well as with actual EU policy activity (e.g. Bolstad 2015; Boomgaarden et al. 2011; Toshkov 2011). The moderating factors hypothesised in H1 to H4 are measured as follows. First, to test whether the electoral cycle influences government responsiveness I operationalise the distance to the next, scheduled national legislative elections in 100 day units.⁷ Second, the impact of majoritarian electoral systems is measured with a variable that is 0 for PR and mixed systems with disproportionality correction, 1 for mixed systems that do not correct disproportionality arising from the majoritarian part (Lithuania), and 2 for pure SMD plurality or two-round systems (the UK and France).⁸ Third, whether an increase in parties' emphasis on EU integration is related to stronger responsiveness is measured with the help of the Comparative Manifesto Project's (CMP) database (Volkens et al. 2013). This is operationalised as the seat-weighted average percentage of quasi-sentences parliamentary parties devote to EU integration (positive as well as negative statements) in their electoral manifestos. To capture times in which integration is politicised, I linearly interpolate over time and measure the

⁷ Results do not change when coding the distance to the next elections that really occurred, i.e. to account for early elections.

⁸ I obtain the same results when using a simple dummy for SMD systems.

change in party emphasis over the last two years.⁹ Fourth, to determine the effects of major EU-related events I use a dummy variable that is 1 six months before and after the following events: national referendums on integration, signing of EU treaties, accession to the EU, introduction of the euro currency, elections to the European Parliament, holding the Council presidency.

In order to ascertain which mechanism – rational anticipation or electoral turnover – is responsible for any responsiveness found, I include measures of government parties' promised positions on left-right and pro-anti integration at the last elections from the CMP. For left-right I use the CMP's summative RILE measure, and for pro-anti integration I take the difference between positive and negative quasi-sentences on the EU. Aggregated government positions are obtained by seat-weighting. The magnitude by which these measures reduce the coefficients on public opinion gauges the part of responsiveness that is induced directly by elections through turnover. In turn, the remaining effect is independent of the last election outcome and the composition of government but occurs during the legislative term as rational anticipation (Stimson 1999).

In addition, I control for several factors that are known to influence governments' position-taking in EU policy-making and might at the same time have non-trivial relationships with public opinion. Most importantly, I account for a potentially relevant redistribution cleavage (rich vs. poor countries) with a measure of countries' net contribution to the EU budget (€ per capita) as well as a natural log of GDP per capita (purchasing power parity \$ of 2011) (Bailer, Mattila, and Schneider 2014; Zimmer, Schneider, and Dobbins 2005). Second, I account for a potential centre-periphery cleavage

⁹ As elections occur in varying frequency across countries, I do not look at the change from the last manifesto but use linear interpolation. Operationalising the change over four years yields the same results.

with a dummy variable for whether a country is part of the Economic and Monetary Union or not. Third, I broadly capture the idea that member states try to ‘upload’ domestic policies to the European level (e.g. Börzel 2002) with government’s social benefits payments as percentage of GDP as well as a measure of domestic economic freedom from the Fraser Institute’s Economic Freedom of the World dataset (Gwartney, Lawson, and Hall 2013). Moreover, I incorporate an ongoing debate about the relationship between the economy and opinion (e.g. Ferguson, Kellstedt, and Linn 2013) by controlling for national unemployment (as ILO defined) and inflation rates (in terms of consumer prices). Thereby, I ensure that any significant relationship between opinion and policy positions is more than a reflection of macro-movements in the economy. All data sources are linked on the date the Commission transmitted the relevant proposal to the Council.

Analysis and Results

To model the relationship between governments’ policy positions and opinion, I use mixed effects regressions. All models include random intercepts for the policy issue in question, the legislative proposal from which the issue emanated, and the country that took the position. Moreover, I include a random slope that allows the public opinion effect to vary in strength between the different policy issues. The hypotheses H1 to H4 are tested by including interaction terms between public opinion and the respective moderating variable.

Hence, all models take the following general form:¹⁰

Policy position

$$= \beta_0 + \beta_1 * Opinion + \beta_2 * Moderator + \beta_3 \\ * (Opinion \times Moderator) + \dots + u_{0i} + u_{0p} + u_{0c} + u_{1i} * Opinion \\ + \epsilon$$

Where the index p is for legislative proposals, i for issues (nested in proposals), and c for countries. Hence, u_{0i} , u_{0p} , and u_{0c} represent the respective random intercepts, u_{1i} the random slope on public opinion on the issue level, and ϵ the position-specific error term.

In a first step, I restrict the sample to all issues that relate to left-right conflicts. *Table 1* shows the major results. Model 1A regresses governments' policy positions (0 'most left' to 100 'most right' option) on left-right opinion and the control variables. The results show that opinion exerts a significant effect on governments' position-taking in the Council. For a unit change in opinion to the right, governments shift their policy positions by 6.56 points on the left-right policy scale on average. Model 2A adds the government parties' promised left-right position at the last elections as the CMP's RILE score to parse out effects of electoral turnover. The results show that governments whose parties made ideologically right-leaning electoral promises, also deliver more rightist policy positions in the Council as one would expect. However, the coefficient on public opinion is virtually unchanged, which indicates that in order to forestall future electoral sanctions governments respond to public opinion beyond their electoral promises.

¹⁰ Where time series data is available, responsiveness can be studied on the basis of first differences or distributed lags models. However, the DEU data does not qualify as a time series, mainly due to a large gap between 1999 and 2004. I therefore define responsiveness here in a static sense, which is common practice where time series data is lacking (see Gilens 2012; Lax and Phillips 2009, 2012).

Table 1: Responsiveness on left-right dimension

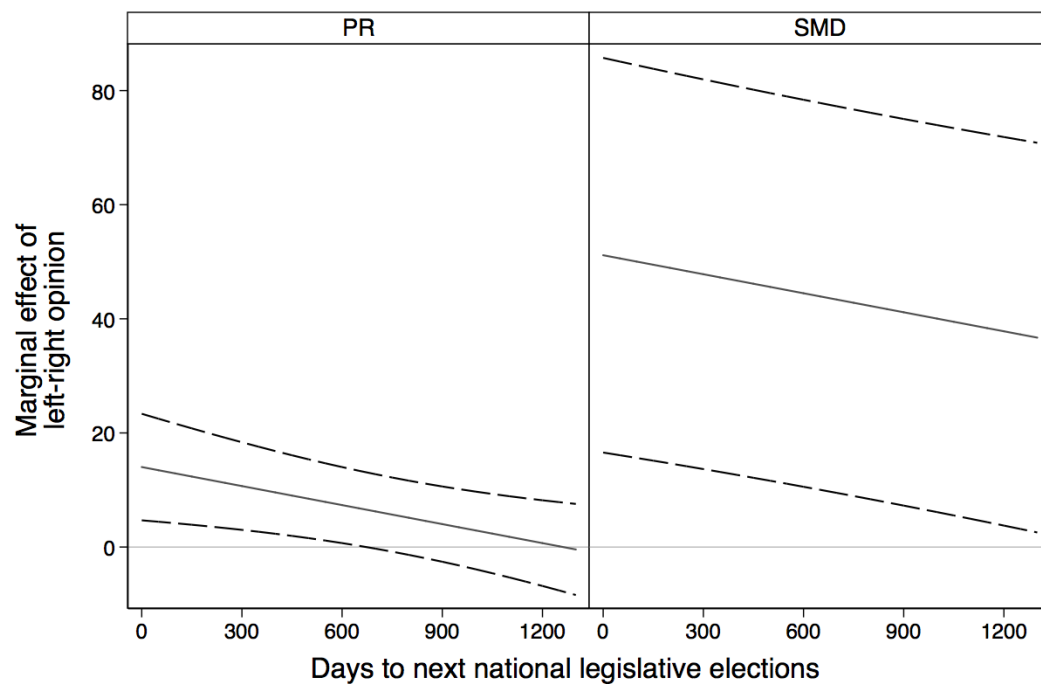
	Model 1A	Model 2A	Model 3A	Model 4A	Model 5A
Left-right opinion	6.562 (3.288)**	6.246 (3.148)**	14.765 (4.663)***	5.541 (3.340)*	14.018 (4.763)***
Government left-right position		0.145 (0.069)**	0.189 (0.071)***	0.119 (0.070)*	0.163 (0.072)**
Days to elections			5.890 (2.353)**		5.924 (2.357)**
Days to elections x Left-right opinion			-1.101 (0.444)**		-1.111 (0.445)**
Electoral system				-93.980 (44.056)**	-93.603 (43.802)**
Electoral system x Left-right opinion				18.708 (8.740)**	18.563 (8.692)**
Net contribution to EU budget	-1.392 (0.857)	-1.444 (0.820)*	-1.640 (0.819)**	-1.469 (0.832)*	-1.674 (0.830)**
GDP per capita (ln)	-11.327 (5.192)**	-9.980 (4.949)**	-10.131 (4.910)**	-9.834 (5.047)*	-10.038 (5.010)**
EMU membership	2.397 (2.579)	2.345 (2.513)	2.661 (2.504)	2.829 (2.548)	3.113 (2.539)
Social benefits	0.714 (0.496)	0.594 (0.468)	0.663 (0.466)	0.785 (0.482)	0.863 (0.479)*
Economic freedom	4.255 (1.817)**	4.008 (1.727)**	4.223 (1.716)**	4.135 (1.820)**	4.443 (1.810)**
Unemployment rate	-0.456 (0.346)	-0.513 (0.335)	-0.562 (0.334)*	-0.415 (0.343)	-0.467 (0.341)
Inflation rate	-0.942 (0.717)	-0.918 (0.706)	-1.036 (0.704)	-0.862 (0.711)	-0.988 (0.711)
Constant	102.518 (58.887)*	94.266 (56.118)*	48.187 (58.881)	91.744 (57.358)	45.935 (59.964)
Country intercepts (st. dev.)	5.405	4.769	4.667	4.935	4.823
Proposal intercepts (st. dev.)	12.281	12.348	12.394	12.256	12.296
Issue intercepts (st. dev.)	0.009	0.016	0.016	0.010	0.009
Issue opinion slopes (st. dev.)	3.540	3.536	3.541	3.536	3.541

Notes: All are mixed effects regressions with 26 countries, 84 proposals, 183 policy issues, and N = 3,122;

No observations for Malta due to missing CMP measures; Standard errors in parentheses; * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Models 3A-5A investigate whether governments apply a '*routine mode*' when responding on left-right as detailed in the theory section. Model 3A tests whether governments increase their responsiveness as national elections approach (H1). Indeed, there is a significant positive effect of electoral proximity on responsiveness. The closer elections are, the more governments consider public opinion when taking policy positions in the Council. Model 4A assesses the impact of electoral systems on responsiveness by allowing the opinion effect to vary between PR, mixed systems without correction, and pure SMD systems (H2). It provides evidence that governments in majoritarian electoral systems are indeed more responsive to left-right preferences than their counterparts in proportional electoral systems. In fact, the main term on public opinion relating to pure PR systems is only weakly significant at the 10% level. Model 5A tests whether the conditioning effects of the electoral cycle and the electoral system are independent of each other by including both interaction effects. The results show that both interaction terms remain significant at the 5% level. Hence, the proximity of the next elections and electoral system type independently condition responsiveness.

To illustrate these results *Figure 2* plots the marginal effect of public opinion depending on the days to the next elections and separately for PR and SMD electoral systems. We can see that in countries with PR systems public opinion does not have any significant influence on governments' position-taking when planned elections lie more than 650 days in the future. However, from around 2 to 1½ years before the elections governments clearly consider public opinion when taking policy positions in the Council. In turn, governments facing SMD systems at home are responsive from about 4 years before the next elections and when elections are imminent they change their policy positions by up to 50 points for a unit change in opinion.

Figure 2: Marginal effect of opinion by electoral cycle and system

In a second step, I restrict the sample to all issues relating to conflicts about pro-anti integration. The results are reported in *Table 2*. Model 1B estimates the adopted policy position (0 ‘least integrationist’ to 100 ‘most integrationist’ option) as a function of pro-anti integration opinion and the control variables. In line with the findings on left-right, governments’ position-taking on pro-anti integration also responds to public opinion with a significant coefficient at the 5% level. The more supportive the public is of the country’s EU membership, the more likely it is that the government adopts positions that imply more EU authority, more harmonisation, or more EU task expansion. Model 2B demonstrates that like on the left-right dimension responsiveness on pro-anti integration is also a result of rational anticipation as opinion impacts on government positions even if controlling for the electoral promises of the cabinet parties.¹¹

¹¹ In addition, the insignificant coefficient on the CMP measure indicates that government parties that make pro integrationist electoral promises do *not* adopt more integrationist policy positions. This supports the claim that governments do not routinely engage in their representative function on pro-anti integration.

Table 2: Responsiveness on pro-anti integration dimension

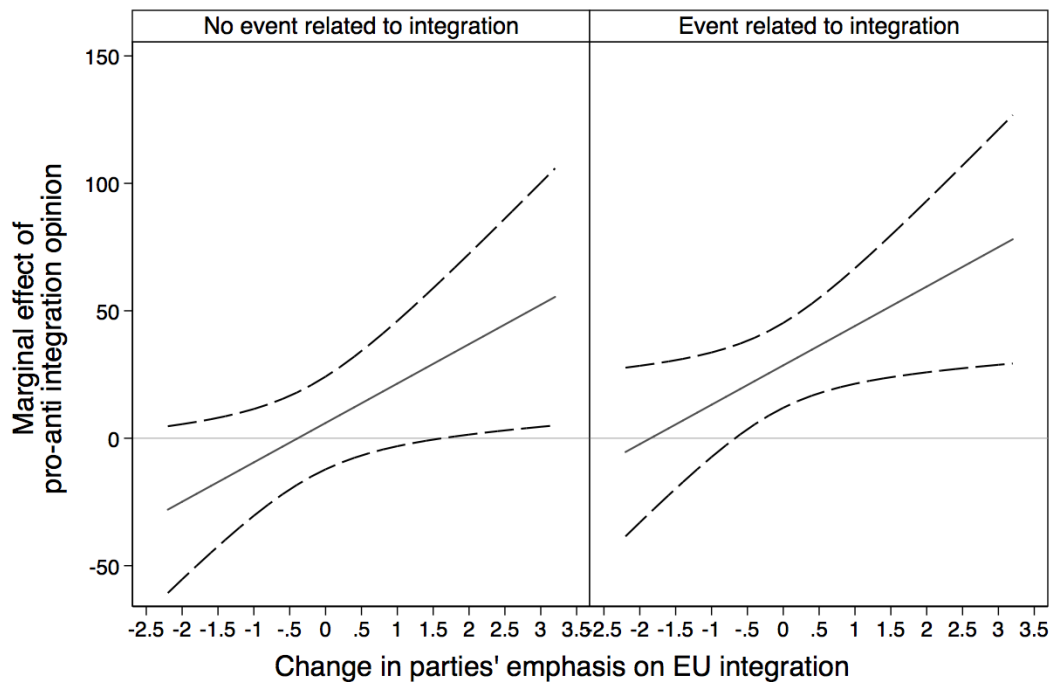
	Model 1B	Model 2B	Model 3B	Model 4B	Model 5B
Integration opinion	15.690 (7.666)**	16.009 (7.783)**	19.430 (7.601)**	2.963 (9.360)	5.991 (9.277)
Government integration position		0.125 (0.527)	0.647 (0.544)	0.132 (0.522)	0.666 (0.541)
Party salience			-4.252 (2.973)		-3.314 (3.008)
Party salience x Integration opinion			17.431 (6.928)**		15.456 (7.039)**
EU-related event				-12.344 (4.762)***	-11.037 (4.819)**
EU-related event x Integration opinion				22.301 (9.394)**	22.602 (9.428)**
Net contribution to EU budget	1.466- (0.870)*	1.486- (0.874)*	-1.515 (0.832)*	-1.378 (0.857)	-1.406 (0.821)*
GDP per capita (ln)	2.556 (5.526)	2.540 (5.524)	5.333 (5.357)	2.894 (5.432)	5.776 (5.310)
EMU membership	-1.576 (2.925)	-1.661 (2.946)	-1.561 (2.918)	-1.185 (2.904)	-1.337 (2.889)
Social benefits	0.774 (0.595)	0.804 (0.607)	0.815 (0.591)	0.829 (0.596)	0.797 (0.584)
Economic freedom	-0.737 (2.084)	-0.738 (2.083)	-0.608 (1.987)	-0.595 (2.042)	-0.512 (1.960)
Unemployment rate	-0.320 (0.376)	-0.352 (0.400)	-0.285 (0.386)	-0.339 (0.393)	-0.257 (0.382)
Inflation rate	-0.698 (0.859)	-0.702 (0.859)	-0.460 (0.857)	-0.518 (0.856)	-0.318 (0.856)
Constant	14.113 (55.840)	13.684 (55.846)	-19.778 (54.262)	14.976 (54.862)	-18.995 (53.814)
Country intercepts (st. dev.)	2.833	2.827	2.227	2.582	2.044
Proposal intercepts (st. dev.)	0.003	0.080	0.041	0.020	0.014
Issue intercepts (st. dev.)	26.772	26.748	26.666	26.718	26.640
Issue opinion slopes (st. dev.)	16.344	16.326	17.272	15.719	16.712

Notes: All are mixed effects regressions with 24 countries, 68 proposals, 94 policy issues, and N = 1,537;

No observations for Cyprus, Malta, and Latvia due to missing CMP measures; Standard errors in parentheses; * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Models 3B-5B investigate whether governments employ an '*ad hoc mode*' when responding on pro-anti integration. Model 3B tests whether governments are more responsive in case domestic parties increase the electoral salience of pro-anti integration in their manifestos (H3). The hypothesis is supported by a significant interaction term indicating that governments care more about opinion when EU integration is politicised in the party system. Model 4B tests whether major events related to EU integration play a pivotal role in making governments wary of public opinion on pro-anti integration (H4). The results entirely support this conjecture: In fact, while the interaction term is significant, the main term on opinion has now dropped close to zero indicating that governments only consider opinion around such events but disregard it at other times. Model 5B including both interactions confirms these findings.

Figure 3 plots the marginal effect of public opinion depending on the change in parties' emphasis on integration and separately for times with *or* without an event related to EU integration. While in times with no event strong politicisation by parties (+1.7 percentage points quasi-sentences on EU integration) is needed to make governments responsive, ministers almost always consider opinion around events related to EU integration (up to -0.6 percentage points decrease in party emphasis).

Figure 3: Marginal effect of opinion by party salience and event context

What do these opinion effects on the left-right and pro-anti integration position scales mean in a real world context? While there is no straightforward answer to this question as the substantive meaning of the position scale varies from issue to issue, I point to two helpful considerations. Firstly, these effects can be interpreted relative to average distances in policy positions between national delegations. For instance, the average distance on the left-right scale between the UK, that advocated more 'rightist' policy positions, and France, with more 'leftist' positions, is about 10 scale points (61-62 against 51-52 respectively). Considering the opinion effect of 35-50 points in SMD systems with long-run standard deviations of left-right opinion between 0.1-0.2, regular fluctuations towards leftist opinion are sufficient to make the UK government adopt positions like its French counterpart. An example for pro-anti integration is to compare Ireland that has largely adopted integrationist policy positions, and the Czech Republic that has been more reluctant. An average of 13 scale points separates them. Given an opinion effect of 20-85 points in most situations around EU-related

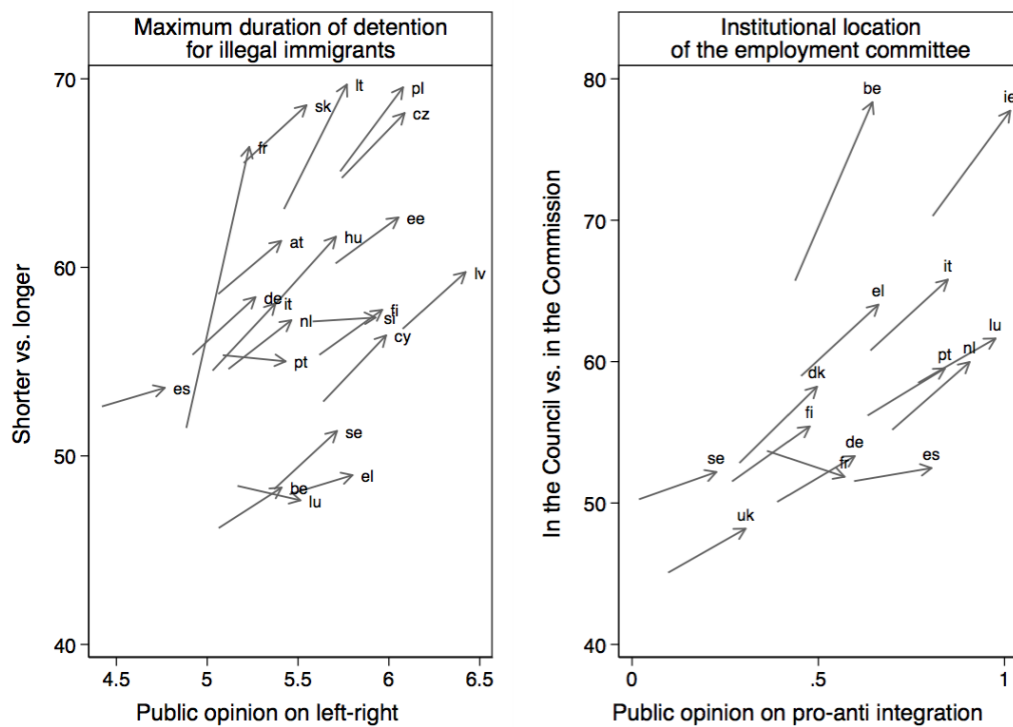
events and long-run standard deviations of support for membership around 0.1, changes of policy positions by 4-16 scale points are quite frequent. Hence, under Eurosceptic tides of public opinion the Irish government that, for instance, had to face 8 EU referendums throughout history, is predicted to agree with the Czech delegation.

Second, the substantive impact of opinion can be exemplified by predicting governments' positions on specific policy issues from the data. As an example for left-right I use an issue from a directive on common standards for returning illegal immigrants (COD/2005/167). A key controversy on this directive was for how long member states should be allowed to detain illegal immigrants that have received a deportation decision. As an example for pro-anti integration I draw on the member states' decision to establish the EU's Employment Committee (CNS/1999/192) that is an advisory committee to the Employment and Social Affairs (EPSCO) Council configuration. In this case, it was contested whether the committee should be located in the Council's or the Commission's sphere of influence.

Figure 4 plots the models' (5A/5B) predicted positions at the observed values and connects them with an arrow to the prediction when shifting public opinion two long-run standard deviations towards rightist or pro integration opinion. The values of the random effects are predicted with empirical Bayes methods. While for some governments the model predictions are very similar under the changed opinion scenario, public opinion displays a strong leverage in a number of contexts. For instance, the French position on detention periods for illegal immigrants would have been predicted 15 scale points towards longer periods, which would have meant additional 3-4 months of detention in substantive terms. The next French elections were almost two years away at this point. On the institutional location of the

Employment Committee, which was discussed shortly after the 1999 European elections, Belgium is predicted to shift its position by 13 scale points towards higher Commission influence. In substantive terms, this distance represented the difference between balanced influence of the institutions or a clear advantage of one.

Figure 4: Substantive meaning of opinion effect with examples



Note: Arrow connects predicted position at observed values with hypothetical prediction when increasing opinion by two long-run standard deviations (average within-country standard deviation, 1990-2013). Values for random components are obtained by empirical Bayes methods.

In total, these considerations show that public opinion can exert a substantive influence on legislative negotiations in the Council. This is particularly evident when considering that with France and the UK two of the three 'big' EU governments face majoritarian electoral systems at home, and that about 50% of all positions on pro-anti integration in the period investigated were adopted in a context of major events related to integration. In total, the models predict significant marginal effects of opinion for about 50% of all

observations on the left-right and 40% of all observations on the pro-anti integration dimension.¹²

Robustness Checks and Causal Inference

This section reports results of robustness checks addressing three types of concerns. All results are provided in *Table 3*. First, I address the theoretical concern that the moderators of responsiveness may not be dimension-specific. Instead, the salience of EU integration triggered by parties and EU-related events could ‘spill-over’ and make governments also more responsive on the left-right dimension of EU policy-making. Similarly, governments could also structure their responsiveness efforts on pro-anti integration with a view to national elections (e.g. as they expect enduring public salience of integration). To test these assertions I re-estimate the final Models 5a + 5b interchanging the moderators between the dimensions. The results strongly support the claim of dimension specificity. The only weakly significant interaction term is that between left-right opinion and events. However, it indicates that left-right opinion is *less* considered by governments before and after events related to integration, which might simply show that governments shift their focus towards the pro-anti integration dimension in such times.

Second, I address concerns about the distribution of the dependent variable. Since a significant fraction of DEU policy scales are binary (e.g. the legislative

¹² The findings on the control variables. On left-right, the results support the presence of a redistribution cleavage, with the ‘rich’ governments advocating more leftist policy positions. Patterns of uploading of domestic policies are also partially visible as governments with more freedom of business at home take more rightist positions. Importantly, I find no control variable significant on pro-anti integration, which underscores that this dimension is less rooted – not only in national but also – in cross-national cleavages.

conflict only offered two options), the extreme values 0 and 100 are overrepresented rendering the distribution skewed at both tails. In order to see whether this non-normality drives any results I create a second, dichotomised version of the dependent variable: If governments took more leftist / less integrationist positions between 0 and 49 this is coded as 0 and more rightist / integrationist positions between 50 and 100 as 1. The final models are re-estimated using mixed effects logistic regression. Again, this different specification yields qualitatively identical results.

Third, I address two concerns regarding measurement. With regard to left-right, the cross-national comparability of the left-right self-placement as a measure of opinion could be criticised. In particular, studies suggest that the meaning of left-right may differ between Western and Eastern Europe as citizens with strong conservation and security values tend to place themselves on the right side of the scale in Western Europe but often to the left in post-communist countries (Aspelund, Lindeman, and Verkasalo 2013; Piurko, Schwartz, and Davidov 2011; Thorisdottir et al. 2007). This is caused by respondents associating the communist past with 'left' ideology as well as traditionalism and security. A re-estimation of the final model excluding the 8 post-communist countries demonstrates that this potential measurement variance does not drive any results.

With regard to pro-anti integration, a central question is whether the moderators investigated are adequate proxies of public salience. Sometimes other EU-related events than those selected may trigger salience and not every referendum or EU presidency may actually resonate in the public sphere. Similarly, emphasis on EU integration in election manifestos hardly captures all mobilisation activities of parties and its quality as a proxy may be better around elections than during the term. In order to measure public

salience more directly, I create a measure from country reports in *The Political Data Yearbook* published annually by the European Journal of Political Research. In these reports, experts discuss the most important political issues that shaped the country's political agenda in a given year. From this information I construct a dummy variable that is 1 for proposals published in reporting years in which at least one aspect of EU integration was mentioned as a salient issue by the experts. Interacting this alternative measure with opinion produces the same results: Responsiveness on pro-anti integration is triggered by public salience but absent otherwise.

A remaining question is whether these relationships can be interpreted causally. The entire responsiveness literature is quite aware that elites' priming, framing, and persuasion attempts are a potential source of 'simultaneity' or even 'reversed causality', so that governments may more shape opinion than being influenced by it. However, most findings of this study point towards a bottom-up process. Most importantly, the relationship between opinion and governments' positions only becomes significant with increasing electoral pressure in the domestic arena – be it an approaching election, an elastic electoral formula, or the increased electoral salience of integration due to party emphasis or EU events. As Jacobs and Shapiro (2000: 43) have argued, manipulation of opinion by elites is the strategic choice in times of low electoral pressure but not if electoral incentives are imminent since then "it is less risky and faster to respond to public opinion than attempt to change it". Hence, if elite-led dynamics were prevalent, we should detect the strongest relationships between opinion and positions distant from elections, in PR systems, and in times of low public salience of integration. This is precisely the opposite of what we find.

Table 3: Robustness checks

	Interchanged moderators		Dichotomous dependent variable		Measurement concerns	
	<i>Left-right</i>	<i>Integration</i>	<i>Left-right</i>	<i>Integration</i>	<i>Left-right</i>	<i>Integration</i>
Opinion	11.757 (4.031)***	9.468 (11.970)	0.914 (0.305)***	0.267 (0.698)	9.229 (5.050)*	6.128 (9.667)
Government position	0.136 (0.071)*	0.046 (0.555)	0.012 (0.005)***	0.053 (0.041)	0.156 (0.065)**	0.211 (0.531)
Party salience	8.551 (13.022)			-0.105 (0.225)		
Party salience x Opinion	-1.345 (2.517)			0.931 (0.528)*		
EU-related event	43.757 (22.332)*			-0.889 (0.368)**		
EU-related event x Opinion	-7.905 (4.242)*			1.951 (0.726)***		
Days to elections		0.071 (0.488)	0.419 (0.161)** *		7.019 (2.928)**	
Days to elections x Opinion		0.420 (1.002)	-0.079 (0.031)**		-1.332 (0.561)**	
Electoral system		-2.792 (4.180)	-5.093 (2.763)*		-149.573 (40.202)***	
Electoral system x Opinion		9.102 (13.099)	1.027 (0.550)*		30.312 (8.066)***	
Public salience						-6.964 (4.952)
Public salience x Opinion						23.843 (10.164)**
Control variables	All included	All included	All included	All included	All included	All included
Random effects	All included	All included	All included	All included	All included	All included
Number of observations	2,964	1,537	3,122	1,537	2,535	1,515

Notes: Mixed effects regression for 'Interchanged moderators' and 'Measurement concerns'; Mixed effects logistic regression for 'Dichotomous dependent variable'; Number of countries, proposals and policy issues as above; Standard errors in parentheses; * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Conclusion

This analysis has demonstrated that democratic responsiveness is an important feature of legislative negotiations in the Council. It provides considerable evidence for two distinct modes of responsiveness: On legislative issues related to left-right conflicts governments have developed a routine of responding to opinion along the electoral cycle with varying strengths depending on the elasticity of vote-seat conversion they face. In turn, on pro-anti integration governments only spontaneously consider opinion in response to public salience that is triggered by party emphasis on integration as well as major events related to integration. The common root cause of responsiveness on both dimensions are incentives flowing from national elections.

This responsiveness has substantive consequences. It can motivate governments to devote a few hundred more millions of funding to the EU's education programme SOCRATES, to retain data from electronic communication services for a few months longer, or to move from unanimity to qualified majority voting in the implementation of the Dublin Convention on asylum seekers.

Clearly, responsiveness in the Council is far from being universal as electoral incentives were only strong enough to induce significant responsiveness in about 40-50% of all observations in the sample. However, a careful reading of the responsiveness literature in domestic politics often reveals the very same conditional relationships between opinion and policy-makers' actions. For instance, Canes-Wrone and Shotts (2004) have demonstrated that US Presidents are much less responsive to opinion in the first half of their term.

Similarly, scholars have established that public salience is a key prerequisite for responsiveness (Burstein 2006; Lax and Phillips 2009; Wlezien 2004). Accepting democracy in nation states as the standard to which we should compare the EU, the results then suggest that governments in the Council behave approximately as responsive to public demands as they and other top executives do in domestic politics. Differences between the two contexts are probably rather a question of the precise *degree* of responsiveness than of a fundamentally different logic at play.

This has important implications for the debate about the EU's democratic deficit as it supports the liberal intergovernmentalist conjecture that national governments – at least to some extent – defend public preferences in Brussels. In contrast, the generalised claim of the advocates of a democratic deficit that relationships between public preferences and EU policy-making will never be more than “happy coincidence” is not supported by this analysis. At least legislative negotiations in the Council are subject to a systematic connection to public sentiment. Governments in the Council are not benevolent authoritarians that do something for the people out of kindness, but they strategically follow and shirk opinion depending on electoral incentives.

Evidently, open questions remain: Most importantly, governments responding to the public in their negotiation positions are simply a necessary condition for the liberal intergovernmentalist defence of the EU. It does not guarantee that governments are able to actually realise public preferences in intra-institutional negotiations inside the Council and inter-institutional negotiations with the EP and the Commission. Future research should investigate the extent and conditions for substantive responsiveness to EU-wide opinion at the stage of actual policy output. If such projects confirm the findings from this research, this will question the widely-held belief that the

EU is less democratic than national systems when assessed on the criterion of responsiveness. Certainly, this would not invalidate the claim that the EU suffers from some sort of democratic crisis – shrinking popular legitimacy of the integration project is the prime indication of this. However, it would shift the focus of debate either to alternative, more demanding assessment criteria of democratic rule such as issue congruence or to entirely novel angles of explaining gaps between popular feelings of legitimacy and measurable democratic quality.

Finally, this research has important implications for the wider responsiveness literature. It demonstrates that responsiveness is not strictly limited to top profile policy questions like reforms of social security systems nor is it limited to domestic political arenas. Instead, the analysis could detect responsiveness in a context of comparatively low profile decisions and relatively high issue and policy-making complexity in an international political arena. This should encourage research on the boundary conditions for responsiveness. Without doubt, this study suggests that while being generally conditional on electoral incentives, responsiveness may be more resilient in adverse environments than many scholars could imagine.

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